



Order Filed on April 20, 2017 by  
Clerk U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-2(c)**

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Attorney for Debtor(s)

In Re:

Leonard J. Emerle

Case No.: 16-16743

Chapter: 13

Adv. No.: N/A

Hearing Date: 4/25/2017 @ 10:00 a.m.

Judge: JNP

**ORDER TO APPROVE LOAN MODIFICATION WITH SHELLPOINT MORTGAGE  
SERVICING.**

The relief set forth on the following pages, numbered three (3) is hereby ORDERED.

**DATED: April 20, 2017**

  
\_\_\_\_\_  
Honorable Jerrold N. Poslusny, Jr.  
United States Bankruptcy Court

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**Debtors:** Leonard J. Emerle

**Case No:** 16-16743 /JNP

**Caption of Order:** Order to Approve Loan Modification of Debtors with Shellpoint Mortgage Servicing.

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Upon consideration of Leonard J. Emerle's application for an order to approve a loan modification with Shellpoint Mortgage Servicing and good cause appearing therefore, it is hereby

**ORDERED** that the Debtors are permitted to proceed with a loan modification Shellpoint Mortgage Servicing.

**IT IS FURTHER ORDERED** Communication and/or negotiations between debtors and mortgagees/mortgage servicers about loan modification shall not be deemed as violation of the automatic stay; and any such communication or negotiation shall not be used by either party against other in any subsequent litigation.

**IT IS FURTHER ORDERED** that in the event a loan modification is completed and pre-petition arrears are capitalized into the loan, secured creditor shall amend the arrearage portion of its proof of claim to reflect the amount already paid by the Chapter 13 Trustee within thirty (30) days of the completion of the loan modification; and

**IT IS FURTHER ORDERED** that the Chapter 13 Trustee shall suspend disbursements to secured creditor pending completion of the loan modification and all money that would otherwise be paid to the secured creditor be held until the claim is withdrawn or amended or the Trustee is notified by secured creditor that the modification was not consummated; and

**IT IS FURTHER ORDERED** that in the event the modification is not consummated; the secured creditor shall notify the Trustee and debtors' attorney of same. Any money that was held by the Trustee pending the completion of the modification shall then be paid to secured creditor; and

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**Debtors:** Leonard J. Emerle

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**IT IS FURTHER ORDERED** that in the event the Proof of Claim is withdrawn or amends the arrearage portion the claim to zero (0), the Trustee may disburse funds being held pursuant to this Order to other creditors in accordance with the provisions of the confirmed plan; and

**IT IS FURTHER ORDERED** that Debtors shall file an Amended Schedule J and Modified Plan within fourteen (14) days of this Order.

**IT IS FURTHER ORDERED** that Debtors shall provide the Trustee with an executed copy of the Loan Agreement upon completion.

**Certificate of Notice Page 4 of 4**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Leonard J Emerle  
Debtor

Case No. 16-16743-JNP  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Apr 20, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on  
Apr 22, 2017.

db +Leonard J Emerle, 1321 Stonehenge Drive, Williamstown, NJ 08094-1961

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 22, 2017

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 20, 2017 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor MTGLQ INVESTORS, L.P. dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com

Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,  
summarymail@standingtrustee.com

Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com

Joshua I. Goldman on behalf of Creditor MTGLQ INVESTORS, L.P. jgoldman@kmlawgroup.com,  
bkgroup@kmlawgroup.com

Seymour Wasserstrum on behalf of Debtor Leonard J Emerle mylawyer7@aol.com, ecf@seymourlaw.net  
TOTAL: 5